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The Defects of the Civil Service System

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THE DEFECTS OF THE CIVIL SERVICE SYSTEM

by

JOSEPHINE B. HERRON

Final Report

Thesis

I. Introduction

II. Defects in the Civil Service

III. Classification and Relations

IV. Civil Service in England

V. Defects of the Civil Service

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Chapter I

Historical Account of the Civil Service

When the new government of the United States was put into operation, one of the first tasks with which it had to deal was that of filling offices, in order that the Constitution and the laws passed under it might be enforced. President Washington, whose chief characteristics were good judgment and punctilious exactness, was allowed to use his discretion in the question of qualifications. He realized the difference between appointing men barely fit to fill their offices, and appointing those who were most fit. This made the task a difficult one for him, as there were many applicants who appealed to his benevolence; and to turn away soldiers of the Revolution whose services merited consideration must have been especially hard. Yet he always urged that such considerations could not supercede efficiency. Although in some cases he did assist deserving applicants from his private income, he refused to use a public office for such purpose. Relationship, he considered, was an absolute bar to preferment, and so persistent was he in his effort to

fulfill his difficult task impartially that disappointed candidates acknowledged the justice or necessity of his selections.¹

In 1797 John Adams became President under circumstances quite different from those under which Washington began his administration. Two great parties were now organized under different names, with changing issues, each struggling for the mastery. The Constitution was fully accepted, at least as a basis for further development, and Adams was elected as a representative of the Federalist party. Washington had a clear field before him in the creation of a civil service; but Adams found a well established civil service, and had to deal with appointments only as vacancies occurred from time to time. Since the total number of public officers was then small, he was comparatively free from the harassing task of selection, and by leaving most minor appointments to the members of his cabinet,² he increased this freedom. No succeeding President has enjoyed such liberty from the necessity of making appointments.

That Adams withstood the pressure for removals is evidenced by the statistics during his administration. Only nineteen dismissals were recorded, and majority

¹ Washington, Writings, (Sparks edition) X, 6.

² Hunt, "Office Seeking During the Administration of John Adams," American Historical Review, II, 242.

of these were made on account of inefficiency.

The whole policy of the Federalists toward civil service was one of demanding efficiency; all other qualifications were subsidiary to ability to perform the duties of office; political service, both under Washington and under Adams, was never seriously reckoned by them, although a conforming political opinion was of some minor consideration.

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At the time Jefferson became President, nearly all the offices were filled by Federalists. Naturally, when the people had expelled the Federalists from the elective offices and put the Republicans in their places, they would want the appointive offices filled by Republicans also, as representatives of the majority of the population. Jefferson immediately became the center of considerable pressure for appointment to office. He proceeded with the greatest caution, apparently sincerely desiring to abate the acrimonious feeling which had been stirred up by the two parties. He felt keenly, however, that his own party was entitled to a fair share of public offices, and began to restore the balance gradually.

Jefferson succeeded, in the main, in satisfying

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Jefferson, Writings, (Ford ed.), VIII, 212-213.

the people, in spite of favoritism and politics. His sympathetic response to popular desire gave him his unexpected victory, and to satisfy his own followers and at the same time not to alienate the mass of the opposition was a great feat. So cleverly did Jefferson steer his bark that the patronage had ceased to be an issue by 1809, and the character of the civil service¹ was really not much changed under Jefferson.

Madison succeeded an administration with which he was in complete harmony, for there was as yet no loud call for rotation in office, and he was not even tempted to reconstruct the civil service. He did not, however, find the apparently simple task of filling the natural vacancies an easy one. His lack of personal force gave hostile factions an opportunity, and they attempted to control through the Senate the distribution of patronage. Although the War of 1812 brought unexpected patronage to the Executive, the administration escaped much of the toil involved by leaving military nominations almost wholly to the State delegations. Madison adhered to the policy of the Federalists, in making the war a national and not a party measure. He recognized the opposition,

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Fish, The Civil Service and the Patronage, p. 51.

not only in the military, but also in the diplomatic appointments. The abuse of the patronage was a subject much discussed during this period, but so far as the national civil service was concerned, it consisted rather in lack of vigilance in guarding against favoritism and the influence of local factions, than in any direct misuse¹ for the purpose of party or personal advantage.

When James Monroe became President, he seemed face to face with the vision of universal goodwill which Jefferson had seen as through a glass, darkly. Only thirty-four Federalist electors cast their votes against him; and the project of completing the affiliation of parties by treating all citizens as alike worthy of the favors of the government, seemed feasible.

In 1820 a startling attack was made on the conduct of the civil service. De Witt Clinton, in what is known as the "greenbag" message to the legislature of New York, and in a subsequent message of January 17, 1821, charged that the officers of the general government were an "organized and disciplined corps." A committee was appointed to investigate, or rather, as the lower house was hostile to the Governor, to disprove these charges. The report shows that a certain amount of political activity

¹ Fish, The Civil Service and the Patronage, p. 56.

on the part of the government officials was considered proper; and when the question is thus one purely of degree, we cannot presume to pass judgment at this distance of time.¹ The first step in the evolution of control of appointive power was taken in 1820 in the passage of a tenure of office act, by means of which the term of certain specified Federal officials was made four years. This tenure act was extended from time to time to cover other classes of officials, although it was not used extensively for the purpose of spoils of politics until the advent of the Democratic party.

Whatever the real object of the four year tenure act may have been, it is now recognized as the foundation upon which the spoils system was built.

President Adams carried political tolerance to an extreme, as he abhorred the task of selecting officials, and it is not surprising to find him, when first elected, summarily closing an interview, with certain senators who urged him not to renominate those whose terms were about to expire under the new four years law, but to initiate a "principle of change, or rotation in office."

The year 1829 witnessed a remarkable transformation

¹ Hammond, Political Parties in New York, I, 552-564.

² Adams, J.Q., Memoirs, VI, 514.

of the character of federal service. The inauguration of Jackson was the first sign of the impending change. He had been elected at the end of a bitter and spectacular campaign. He had some debts, but he had even more scores to settle, and he settled them with that ruthlessness that is apt to characterize the man who has risen to eminence on the path of military glory. His inaugural differed not only in numbers of candidates alone, though that was marked, but still more decidedly in the character of the candidates. The trimly dressed gentlemen of the old régime, with their high stocks and good breeding were jostled by hack politicians from New York, and country editors and farmers from the West. "After the ceremony was over," wrote Story, "the President went to the palace to receive company, and there he was visited by immense crowds of all sorts of people, from the highest and most polished down to the most vulgar and gross in the nation."¹

It is not easy to explain the sudden transformation which Jackson introduced at Washington. In his first annual message to Congress he formulated the principles which had guided him:

"There are, perhaps, few men who care for any great interest and integrity better secured, by a general

extension of the law which limits appointments to four

¹ Fish, The Civil Service and the Patronage, p. 109.

length of time enjoy office and power without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves, but they are apt to acquire a habit of looking with indifference upon the public interests and of tolerating conduct from which an unpracticed man would revolt. Office is considered as a species of property, and government rather as a means of promoting individual interests than an instrument created solely for the service of the people. Corruption in some and in others a perversion of correct feelings and principles divert government from its legitimate ends, and make it an engine for the support of the few at the expense of the many. The duties of all public offices are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance; and I can not but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience. I submit, therefore, to your consideration whether the efficiency of the Government would not be promoted, and official industry and integrity better secured, by a general extension of the law which limits appointments to four

Richardson, Messages and Papers of the Presidents,
II, 448-449.

years.

"In a country where offices are created solely for the benefit of the people, no one man has any more intrinsic right to official station than another. Offices were not established to Give support to particular men at the public expense. No individual wrong is, therefore, done by removal, since neither appointment to nor continuance in office is a matter of right. The incumbent became an officer with a view to public benefits, and when these require his removal, they are not to be sacrificed to private interests. It is the people, and they alone, who have a right to complain when a bad officer is substituted for a good one. The proposed limitation would destroy the idea of property now so generally connected with official station, and although individual distress may be sometimes produced, it would, by promoting that rotation which constitutes a leading principle in the republican creed, give health-¹ful action to the system."

Jackson was probably sincere in believing that there was real danger of the development of an un-American bureaucracy, an event which he determined to prevent. Coupled with this fear, however, were his well-known characteristics. Vigorous, abrupt,

¹
Richardson, Messages and Papers of the Presidents,
II, 448-449.

governed by the strongest passions, he forgot neither friend nor enemy. He not only was convinced that persons who held office under Adams entertained wrong political ideas, he also felt many of them to be his personal enemies.

Martin Van Buren, an astute New York politician, as Secretary of State under Jackson, brought with him to Washington the fruits of long training in the New York school of politics. Van Buren was thoroughly aware of the power which control of office gives, and his political methods, together with Jackson's democratic philosophy, and his personal antipathies, helped to produce the result which so startled and alarmed the conservative men in all political groups.

The immediate results of the wholesale removals and appointments which Jackson made were not surprising. The efficiency of the administration naturally declined. The tone of office holding underwent an entire change. The standard of integrity which had on the whole been well maintained until 1829 began to suffer.¹

William Dudley Foulke is of the opinion that, with party government on the one hand, with the hunger of partisans for power, and on the other hand discretionary

¹ White, Public Administration, p. 224.

appointments under the control of a President selected by party agencies, the spoils system was sure to follow. It was certain that some President would be chosen at some time who would use his arbitrary power to reward his supporters, and to strengthen the organization to which he owed his election, and when Andrew Jackson became President, that hour arrived. It would have come if Jackson had never lived. The politics of the State of New York had led the way in this sinister development, which, once established, could not be up-¹rooted so long as appointments remained discretionary.

An outgrowth of the new patronage system, equally logical and inevitable soon followed. As soon as the offices came to be considered the property not of the state but of the successful party, as soon as there were spoils to distribute, some method in the distribution of these spoils became necessary.

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Fish says, "The true cause for the introduction of the spoils system was the triumph of a democracy. It is an essential idea of democracy that these leaders shall be of the people; they must not be gentlemen of wealth and leisure, but they must, the majority of them,

¹
Foulke, Fighting the Spoilsmen, p.4.

²
Fish, The Civil Service and the Patronage, p. 56.

at any rate, belong to the class that makes its own living. If then, they are to devote their time to politics, politics must be made to pay. It is here that the function of the spoils system becomes evident. The civil service becomes the payroll of the party leader."

It is no longer indignation at the perversion of public office which is breaking down the spoils system, so much as the urgent necessity that technical work be competently done in the administrative service. Legislation looking towards this end goes back as far as 1853. Congress then prescribed that clerks in the departments should be arranged in four classes, and that no clerk should be appointed until he had been examined and found qualified by a board of three examiners selected by the head of the department. This law was extensively applied for a few years, but its enforcement gradually weakened. ¹ Mayers quotes the Civil Service Commission in the following criticism of this statute:

"The essential vices of the pass-examination system were these:

1. The examinations were not open to all persons

¹ Mayers, The Federal Service, pp. 41-42.

apparently qualified.

2. The tenure of the members of the examining boards was too precarious.

3. These examinations denied the government a choice from among the most meritorious applicants.

Early in the administration of President Grant, an attempt was made to remedy the evil of patronage. Dorman B. Eaton was appointed President of the Commission, and introducing competitive examinations, and prescribing regulations for admission into the civil service as would best promote the efficiency thereof, and ascertain the fitness of each candidate; service, but the enforcement of its provisions was and he might employ suitable persons to conduct such inquiries and prescribe their duties and establish regulations for the conduct of the appointees. He appointed an advisory board of seven persons with George W. Curtis at its head, which undertook to establish rules for competitive examinations, but Congress delaying along in a merely perfunctory manner, and refused an appropriation and the enterprise broke down.

Agitation for further legislation went on with quite inadequate for effective service, and the salary undiminished vigor under the devoted leadership of of a Commissioner so small that it would attract few men of ability or force for the position. The assassination of President Garfield in 1881, by a disappointed office seeker finally in-
members, from the moment of his entry into the

lords of the newspaper correspondents at Washington, White, Dorman B., Public Administration, 227. the whole Commission. With the Commission,

1
Powers, "Reform of Federal Service." Political Science Quarterly, III, 247-251.

fluenced public opinion to demand more effective legislation with regard to the spoils system.

This resulted in the enactment of the Pendleton Act, which is the basis of the civil service to-day,¹ creating and establishing a Federal Civil Service Commission, and introducing competitive examinations. Dorman B. Eaton was appointed President of the first commission.

When the Pendleton law went into effect it brought about 14,000 government employees into the classified service, but the enforcement of its provisions was fiercely and persistently obstructed by the politicians of both parties. When Roosevelt entered upon his duties as commissioner on May 13, 1889, the situation of affairs in the Commission was one quite satisfactory to the politicians. The work of the Commission, which had been dallying along in a merely perfunctory manner, had come to virtual stagnation. The appropriation for it was quite inadequate for effective service, and the salary of a Commissioner so small that it would attract few men of ability or force for the position. Although Roosevelt was nominally one of the Commission of three members, from the moment of his entry he was, in the words of the newspaper correspondents at Washington, the whole Commission. With regard to the Commission,

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Powers, "Reform of Federal Service," Political Science Quarterly, III, 247-281.

in securing legislation in various parliaments.
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 he said to the Press, "We have to do two things. One is to make the officials themselves understand that the law is obligatory, not optional, and the other is to get the same idea into the heads of the people." Characteristic Rooseveltian means were taken to put teeth into the law; and while Roosevelt incurred the wrath of the politicians in so doing, he finally won them over to the strength of the law, and was hailed as the civil service reformer of his age. The very citadel of spoils politics, the hitherto impregnable fortress that had existed unshaken since it was erected on the foundation laid by Andrew Jackson, was tottering to its fall under the assaults of this fearless and honest young man.

In the first annual report of the Commission is this passage, evidently written by Roosevelt:

"The object of the law is to give to the average American citizen what it takes away from the professional politician;..... that the offices are not the property of the politicians at all; they belong to the people and should be filled only with reference to the needs of public service."

In forty years since the passage of the first civil service law, substantial progress has been made

1 White, Public Administration, 386.
 Roosevelt, Autobiography, p. 149.

in securing legislation in various jurisdictions. It must be admitted, however, that large sections of the public service still remain in the "dark continent" of spoils politics, and that civil service reformers¹ have been only partially successful.

The condition of the spoils system in the last ten years is evidenced by a number of outstanding events. The return of the Democratic party to power in 1913 after a continued absence in their tents was an opportunity for office seekers, which President Wilson could withstand only slightly. The able Mr. Bryan's insistence on favor for "deserving Democrats" showed that the Jackson spark was still alight even in Presidential officers. The invisible government of New York has remained impregnable, as observed by Elihu Root in 1915, and is so to date. In 1917 President Wilson issued his well-known executive order, instructing the Civil Service Commission to hold examinations as vacancies occurred in first, second, and third class postmasterships, and announcing that he would nominate to Congress only the name highest on the list regardless of political affiliations. This rule was consistently adhered to, even at the expense of nominating a

¹ White, Public Administration, p. 228.

² Marsh, "The Recent Spoils Raid in Washington," National Municipal Review, 14, (1922), pp. 267-74.

Republican to be postmaster of Boston.

The election of President Harding instituted the usual demands, now from the Republican organization, for places. Mr. Harding was unable to withstand the pressure, which, to a greater degree than in the case of his predecessor, was directed from within his official household. The rule on Presidential postmasters and its administration was modified so that it became relatively easy to secure Republican postmasters; surveys were made to locate available positions, and some extraordinary¹ dismissals were made.

It has been argued that the classified service should only affect those positions paying not over \$1800 a year, although the Welsh Salary Bill provides for salaries up to \$9000 in the Professional and Scientific Service.² The weakness of the prohibition unit of the treasury department is due in no small measure to the uncontrolled appointment of incompetent and unfit officials.

Within the states a similar situation is found. Connecticut abolished the merit system in 1921, and in Illinois the administration of the merit law has been such that it is practically useless; in Kansas, appro-

¹ White, Public Administration, p. 228.

² Marsh, "The Recent Spoils Raid in Washington," National Municipal Review, II, (1922), pp. 269-74.

priations are lacking and in Chicago the administration was out of sympathy with merit principles. However, in a few places like New York, New Jersey, Wisconsin, and Maryland, real progress is being made, as well as in the jurisdictions.

The federal law creates a commission of three members of whom not more than two may belong to the same political party, appointed by the President with the consent of the Senate, for a term of six years, one retiring every two years. The commission is required to aid the President in preparing suitable rules, which shall provide as nearly as the conditions of good administration will warrant, for open competition examinations, practical in character, and related to matters which will fairly test the relative capacity of persons examined. Candidates are certified from the eligible list to the appointing official in groups of three, from among whom he has freedom of choice. A general rule requiring an examination as the basis of promotion, unless special exemption is made, is laid down in the law. By later statutes, it is provided that no person in the classified service shall be removed except for cause and for reasons given in writing with a period for answer.¹

¹ White, Public Administration, p. 232.

The commission was directed in 1912 to establish a system of efficiency ratings, a duty, which was later transferred to the Bureau of Efficiency.

The rules of the commission amplify the terms of the statutes in many respects, and in fact form the bulk of the working body of regulations.

prescriptive paper left which is the basis of the other part. It provided, however, that the rules to be promulgated by the President shall provide for conditions as nearly as the conditions of civil administration will warrant, the following:

First, that open, competitive examinations be held for testing the fitness of applicants.

Second, that all civil offices, places and positions be filled according to grade.

Third, that appointments be apportioned upon the basis of population.

Fourth, that there shall be a period of probation before any advance appointment.

In the matter of recruitment, certain general matters of actual procedure and method to be employed in selection, must be considered. The first question,

¹ Hays, The Federal Service, p. 301.

Chapter II

Recruitment in the Civil Service

The civil service act itself lays down no mandatory provisions regarding methods of recruitment, such prescription being left wholly in the hands of the President. It provides, however, that the rules to be promulgated by the President shall provide and declare, as nearly as the conditions of good administration will warrant, the following:¹

First, that open, competitive examinations be held for testing the fitness of applicants.

Second, that all the offices, places and employments be filled according to grade.

Third, that appointments be apportioned upon the basis of population.

Fourth, that there shall be a period of probation before any absolute appointment.

In the matter of recruitment, certain practical matters of actual procedure and method to be employed in selection, must be considered. The first question,

¹ Mayers, The Federal Service, p. 379.

that of the subjects of examination and the types of requirement, is of course, the basic one. The remarkable developments of recent years, both within and without the public service, in the scientific testing of mental traits and aptitudes, makes this subject of outstanding importance.

From the very beginning of the merit system, skeptics have insisted that examinations proved nothing about a man's fitness to hold office. Especially was the argument pressed home, that it was impossible to test the qualities of initiative, tact, ability to cooperate, which are essential for men holding the more responsible positions.

There has been a constant effort to improve the selective quality of tests.¹ These efforts have resulted in the evolution of a large variety of tests, each adapted to some particular problem, and in far greater assurance that the tests really possess a selective power related to the qualities or capacities desired.

Tests may be classified as written or oral,² assembled or non-assembled, general or specific. They may ask for free answer or short answer responses. The

¹ Ruggles, A Diagnostic Test of Aptitude for Clerical Office Work.

² White, Public Administration, p. 264.

typical test used in the United States is the written, assembled, specific test, calling for a free answer, except that in the federal system, it is impossible, on account of the distance, to assemble the candidates. There seems to be a tendency toward the use of now-assembled, oral, and short answer tests which have been carefully standardized and toward the use of psychological tests to determine the general intelligence and¹ special aptitude of candidates.

The written examination is of primary importance in testing the acquired knowledge of an applicant, and is a rough test of general intelligence. It seeks to eliminate those who lack the minimum requirements, and to arrange the others in order of knowledge and capacity. The test is of the same order as academic examinations, and has been very commonly used, often without discrimination. It calls for a free answer, the rating of which is not easy. It is most frequently used now in examinations for which no special technical knowledge is required ... such as general clerical positions. It is giving way to other forms of tests, as they prove more adapted to the end in view. It is difficult to standardize.

A recent development is the framing of specific

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Finer, "Civil Service in the Modern State," American Political Science Review, XIX, (1925), 277-89.

questions which can only be answered correctly in one way, as by the addition of a single word, or by checking in a certain place. The examination, consists of a large number of such questions which are usually given in groups with a time limit for each group. There are a number of variations of the short answer examination.¹ They apparently possess a high selective value.

The interview is widely used as a supplementary test. It is usually given only to those who have been sifted from the original group of applicants by a preliminary examination of some sort. Its purpose is to form an estimate of the personal qualities of the applicants, to observe how they handle themselves, to secure an immediate reaction to some hypothetical situation. It has both decided merits and disadvantages. For some positions those personal qualities are essential that do not appear from written examinations, and may not appear from credentials. The trade test is in wide use in public employment to determine the relative efficiency of skilled laborers, such as electricians, carpenters, plumbers, and mechanics. During the war the army developed trade tests to differ-

¹

Public Personnel Studies, Suggested Tests for Prison Guard, II, (1924) 61-83..

entiate between the apprentice, the journeyman, and the expert artisan.¹ These tests consist of a series of questions relating to the trade concerned, and requiring a knowledge of terms, processes and methods.

The performance test may be a form of the trade test. Thus, carpenters may be given material, and instructions, and the quality and quantity of work and time consumed be compared to determine which can do the best work. Perhaps the most common use of this test is in the examination of persons as stenographers or typists.

For appointments in the post office department as well as in other departments, considerable reliance has recently been placed on the experience test, which may be thought of as a form of the performance test. This may be merely a requirement of a definite number of years experience in a given trade or occupation, or it may take the form of an investigation of general or business experience; the method comes close to that which would be used by business firms and which has been recently adopted by the British service in some cases.

The most recent development in the technique of

¹

Federal Board for Vocational Guidance, Bulletin 49.

testing has come by way of the psychological laboratory. Much progress in the rating of intelligence had been made in the early years of the twentieth century in dealing with school children and in handling cases of subnormal children. The most extensive use of the psychological test was made by the United States army. The tests were not intended to replace but to supplement other methods of selection. Although they are described as having value, not so much because they make a better classification than would come about in the course of time by natural selection, but chiefly because they abbreviate this process, they have undoubtedly greatly stimulated interest in the possibility of discovering by psychological methods the candidates best qualified for civil positions. The psychological test is looked upon by the psychologists themselves as supplementary to other tests.

In order to attract the most desirable class of applicants for positions in the public service and to keep them constantly alert, better means can hardly be found than the inducement of possible promotion to the better paid and more responsible positions. If, on the other hand, the better positions go by favor, the

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Yoakum and Yerkes, Army Mental Tests.
 White, Public Administration, p. 253. "Promotion signifies change in duties, responsibility, as well as pay."

almost certain result is a second rate lot of applicants, a discontented mass of employees, and a high rate of turnover. At best the opportunity for promotion in the public service has distinct limitations, owing to the restricted opportunity to pass from department to department, and from jurisdiction to jurisdiction, and to the relatively small number of supervisory positions compared with the mass of subordinate positions. Until 1917 all important postmasterships were outside the classified service entirely; and even now, no one can compete who does not reside within the jurisdiction of the local post office. From the standpoint of the most efficient postal service, this rule of local residence is wholly indefensible, and has even less excuse than the local residence requirement usually imposed by state and local governments.

Concerning the area from within which the choice The rules of the United States Civil Service Commission provide:

1. Competitive tests or examinations shall, as far as practicable and useful, be established to test fitness for promotion in the classified service.
2. Until regulations to govern promotions are made, promotion may be made upon any test of fitness not dis-

United States Civil Service Commission, Rules, XI, 1-2.

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White, Public Administration, p. 298, "Promotion signifies change in duties, responsibility, as well as pay."

White, Public Administration, 300.

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approved of by the Commission.

The Civil Service Commission has, in fact, left the various departments substantially free to govern their own promotions.

The Joint Commission on Reclassification found, "that the absence of any uniform plan or system for regulating increases in pay of employees who have gained in experience and usefulness in a given class of work, and the even more serious lack of ^{an} equitable system of governing promotion from lower to higher classes of positions, have been very large factors in causing the disproportion between pay and work. In the offices with lump sum appropriations, advancement is contingent upon administrative action, largely influenced by the state of appropriations."

2

Concerning the area from within which the choice for the higher positions is to be made, important questions have arisen. In general it would seem right that all employees in the next lower grade who qualify for higher positions should be entitled to promotion.³ But it is often a personal question

¹ United States Civil Service Commission, Rules, XI, 1-2.

² Report of the Joint Commission on Reclassification, pp. 53-54.

³ White, Public Administration, p. 305.

as to whether certain persons qualify for the next higher grade. Should the higher positions be filled by promotion from within the service, or by original recruitment from without? Although the United States Civil Service Commission has taken the position that the decision to resort to general competition for promotion lies in the hands of the appointing officer, and there is no formal requirement favoring selection from within, prevailing practice is in favor of the closed system. In the Public Health Service, the Consular Service, the Coast and Geodetic Survey, and the Postal Service, the closed system has been established by law or executive order.

The Reclassification Commission recommended that when vacancies in the higher positions are not filled by transfer or reinstatement, they be filled by promotion of properly qualified employees as determined by competitive civil service examinations, and that ordinarily open competitive examinations be held only when three such eligibles cannot be secured from those already¹ within the service.

Mayers points out, "The obvious reason why the restriction of selection to those within the service may

¹
Report of Reclassification Board, (1920), p. 124.

be urged as a matter of principle is that it increases the opportunity for advancement within the service, and still more, that it gives those in the service a definite assurance that under given conditions advancement will come. The anticipated results in terms of a better class of personnel recruited and retained in the lower ranks, and a better morale, are obvious. The objection to the closed service is that it deprives the government of brilliant administrators who failed to secure their early training in the government, and by ensuring protection against outside competition, tends to stagnation and conservatism and the foundation of a 'bureaucracy'."

Mayers' own conclusion is, "The guiding principle should seem to be that selection should be restricted to those in the service unless it is made to appear determining matters. It should no longer be within the that a substantially better class of service will be obtained by resorting to general competition." The following letter illuminates this point:

of these places individuals in sympathy with the changes.

I say this without any reflection upon pp. 1
Mayers, The Federal Service, 216-217.
of the offices. For years they have travelled a certain course and cannot get out of the rut."

Good Government, XXIX, (1928), p. 100.

Letter written by James J. Davis, Secretary of Labor, to Congressman Will R. Wood, concerning a bill pending in Congress, May 14, 1921.¹

..... My efforts in trying to increase the efficiency of this department and in making it more quickly responsive to changed conditions and to new economic problems have driven me to the conclusion that the classified service embraces too large a per cent of all the personnel of the department. From present experience I am inclined to the opinion that as the responsibility and discretionary powers of a position increase, there should be less of the classified service. To illustrate: I find that all assistants to heads of bureaus and chiefs of division are under the civil service..... It seems to me that when a position gets into the field of policy determining matters, it should no longer be within the classified service, but should be left open for appointment of individuals in harmony with the policies of the responsible head. I am powerless to put in charge of these places individuals in sympathy with such changes. I say this without any reflection upon those in charge of the offices. For years they have travelled a certain course and cannot get out of the rut."

¹ Mayors, Federal Service, 320-21.
Good Government, XXXIX, (1922), 57-60.

Judging that promotion in public service is, for the most part, based on the closed system, the methods of selection are of primary importance. No single method has proved itself wholly satisfactory; and it is obvious that any adjustment of the methods of promotion will require much study and experimentation.

Seniority is the method of promotion preferred by the employees themselves. While this method is certain, though slow, it is relatively free from politics. Further, the length of service is a proper criterion of competency. Older employees, while they may not be so adept at answering questions, are actually more useful in an office than much younger men who are more skillful in passing examinations. The objection to seniority alone, is that it takes no account of the young and exceptional employee who may be of great service to the system. Promotion by seniority in a closed system, also, assumes that all employees below a superior standard will not be allowed to reach responsible positions. The tradition of seniority in promotion perhaps flourishes most in those departments which have gained a reputation for stagnation and inefficient administration.

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Mayers, Lewis, Federal Service, pp. 320-21.

The following editorial from the Indianapolis News of January 8, 1922, is a direct reflection on the failure of seniority rule during the Harding administration:

"If the appointment of Postmaster for Indianapolis were made solely on the basis of superior qualifications, as it ought to be, Mr. Byfield would be chosen as a matter of course. By knowledge, experience and character, Mr. Byfield is fitted for the place beyond all the candidates for it except perhaps Mr. Springsteen, the present postmaster whose name does not even appear on the eligible list. But the position is apparently regarded as 'spoils', hence it must go to a Republican. It should be remembered that the appointment to this office will be made by the President and not by Congressman Moores, though the latter is to pick the man for the President to appoint. But it is just as well to keep the true principle in mind. For several months people have been wondering whom Mr. Moores would appoint, and now it appears he is going to appoint Mr. Bryson.

"This is, of course, the old patronage idea according to which certain offices belong to senators or representatives to hand out as they see fit, and to whom-
Employees," *Journal of American Research*, III, (1924) 244-51.

soever they choose. Then when the distribution is made, the men receiving the prizes become the henchmen of the distributors, and important parts of the political machine. Such is the patronage system. But it is nevertheless the President who appoints to Presidential post offices. If Mr. Byrfield had been for eight years assistant manager of the Marion Star and had been an employee for almost forty years, and had demonstrated his capacity and integrity, Mr. Harding would not appoint as manager over the head of such a man, an outsider with little knowledge of the newspaper business!

In the last twenty years, much improvement has been made in perfecting efficiency records or service ratings.¹ So much difficulty has been experienced in securing ratings that many personnel managers prefer to trust the judgment of superior officials, in despair of the usefulness of the ratings. It is pointed out, however, that these officials must use some kind of a standard, in evaluating the usefulness of their subordinates, and that every effort should be made to clarify their judgment and eliminate all irrelevant items in forming their conclusions.

¹ Scheaffer, "Efficiency Tests of Pennsylvania Railroad Employees," Journal of Personnel Research, III, (1924) 244-51.

Proctor praises a rating system that recognizes three positive factors of efficiency, -- quality of work, quantity of work,¹ and personality. The fundamental weakness of service ratings is the difficulty of securing accurate ratings due to the lack of acquaintance of raters with the persons they are rating or their failure to analyze and report carefully and accurately what they do know about them. Further, in any large organization, no one person can rate all the employees and the use of many raters introduces the error of variation in the standards used by each.

Mayers contends that "an efficiency record system which, by periodic percentages or other quantitative ratings attempts to determine mechanically the person who shall be selected for promotion, while theoretically attractive, presents such great difficulties in actual operation that over most of the service it cannot be relied upon to select for promotion the employees actually most fit."² The use of an efficiency record does not reduce the element of personal judgment, but should help to eliminate from that judgment all irrelevant factors. The invaluable aid of a sound service rating to nearly all phases of personnel management, justifies constant efforts to construct better systems than have

² Mayers, Federal Service, p. 329.

¹ Proctor, Principles of Personnel Administration, pp. 164-66.

yet been made available. Progress will probably be made in further analysis of the characteristics of efficiency and in discrimination of means to deal with its different phases, with a constant effort for directness and effectiveness.

Outside the federal administration, chief reliance is placed on examinations as the ultimate test of relative capacity for promotion. The value of competitive examinations as a means of selection for promotion varies according to the number of employees who enter the competition, and may be used profitably only where large numbers of subordinates are eligible for promotion to a higher grade. Even then, such selection is at best unreliable, and should certainly be qualified to some extent by the consideration of efficiency records; in the more important promotions a written competitive examination is wholly unsuitable.

Although superficially a well constructed examination would seem to be a reliable indication of relative merit, and is, so far as knowledge of duties is concerned, it must be borne in mind that the higher one goes in the official scale, the less specific knowledge counts and the more capacity for administration is needed. It is essential to know what character traits, if any, are

significant of the good administrator, and how they may be discovered. An examination which could bring out the possession of these qualities of character and of mind and at the same time demonstrate the essential minimum of knowledge, would have a most useful prophetic value.¹

The Reclassification Commission has gone on record as favoring competitive examinations in selection for promotion, but adds that all examinations should be practical in character, and deal with the duties and requirements of the position to be filled.

In the report of a former secretary of commerce, we read, the ideal system is one in which political, personal and social influences are entirely eliminated, thereby insuring promotion solely on merit. A scholastic examination does not appear to be a means to this desirable end. Employees work under the direction and observation of chiefs of bureaus and divisions, and in the final analysis, their rights to advancement should be wholly determined by the opinions of these supervising officials, provided always that such opinions are judicious, well informed, and consciously reached.² This is probably the view of higher administrators. Valuable as mechanical or formal methods of selection may be as aids

¹ White, Public Administration, p. 319.

² Annual Report of United States Civil Service Commission, XXVII, (1910), 139.

to the personal judgment of those responsible for taking action, they should not be erected into substitutes for the exercise of such judgment.

None of the four possible bases of promotion, seniority, service ratings, competitive examination, and official discretion, is uniquely or universally applicable. Some combination of two or more, adapted to the general political and administrative environment, to the number and character of the candidates, and to the nature of the position, may be presumed to give the most satisfactory results. The precise combination must be worked out by the responsible administrator.

Chapter III

Classification and Salaries

One of the most difficult and important questions in the whole subject of public personnel management is that of classification and the proper determination of salaries. No other single phase of personnel management counts for so much in its effect upon the proper conduct of other phases, for almost every operation is profoundly affected by the character of classification.¹ There must be established by law or executive order a knowledge of what every employee is doing, a grouping of employees according to duties, and responsibilities, and the same salary for all members of a group; also provision must be made for current revision of this classification as need therefor arises. Various interests are involved in this process,-- the public, the employees, and the machinery of administration. The interest of the politicians, who seek to build their political power by favoring employees by salary advances or promotion, has been the most potent influence, therefore the hardest to curb. Since these interests are rarely

¹ White, Public Administration, p. 274.

in agreement it is extremely difficult to find a plan which can satisfy the legitimate demands of the public, the employees, and the machinery of administration.

In 1853, Congress passed an act requiring all clerks for whose position no specific salary was fixed by statute to be classified in four classes according to their salary, at \$1800, \$1600, \$1400, and \$1200 respectively, and they were to be designated as of class one, two, three, or four. Congress made no attempt to define, even in the most general terms, the grades of duties appropriate to each of these classes. In some cases Congress itself attempts directly to determine the number, character and compensation of positions and in others it leaves the determination of these factors to the administrative authorities, subject to varying limitations.

In the higher levels of the service, almost all the positions are statutory, numbering about 20,000. The only standards by which the correctness or adequacy of the rates fixed for the thousands of statutory positions have been measured in recent years have been the personal judgment of the members of the committees of Congress responsible for appropriation measures.

¹ Mayers, Federal Service, p. 184.

All positions and salaries not set up by statute are established either by the President or by the heads of the departments, and even where a highly developed formalized and published classification exists, with the duties appropriate to each class accurately defined, its correct application to particular cases is often difficult. Where no classification existed as in 1907, it is a well known fact that through all the departments people sat side by side doing the same class of work, and receiving very different compensation. The Reclassification Commission found an even worse condition in 1920.

Raising employees out of grade by salary increase made them at once eligible to promotion to still higher grades, thus exaggerating the inequalities. It was difficult to hold uniform or practical entrance or promotional examinations because there was no uniformity of duties for occupants of a given grade.¹ The Reclassification Board, after referring to the inconsistency in actual salary schedules in different departments, the wide variations and marked inequalities in salary and wage rates for the same class of work, the absence of any standards and of any uniform plan

¹ White, Public Administration, p. 277. Grades, American Political Science Review, 1916, 206.

for governing promotions, summarized the prevailing situation in the following way: "There is serious discontent accompanied by excessive turnover and loss among the best trained and most efficient employees, the morale of the personnel has been impaired, and the national service has become unattractive to a desirable type of technical employee.¹ A very confused situation was found by the Commission when it was revealed that 1283 employees known by the title of clerk, class one, were actually performing ninety-seven varieties of duties. Classification lays the basis for uniform pay for the same kind of work, and for consistency and equity in pay for different classes of work. The purpose of salary standardization is to establish a working basis for fair treatment of public employees by a careful definition, orderly arrangement, and fair evaluation of positions in such public service.² All positions having substantially the same duties, requiring the same qualifications, and with the same degree of responsibility are grouped together in a class, which is given an appropriate salary range. The National Federation of Federal Employees summed up the whole matter from their point of view as follows:

¹ United States Congressional Joint Committee on Reclassification of Salaries, 1920, pp 18-19.

² Moses, R.H., "Standardization of Salaries and Grades," American Political Science Review, X, (1916) 296.

'Reclassification means salaries and wages on the basis of work performed, equal pay for equal work, fair pay in accordance with modern standards and progressive employment policies, fair pay in relation to the cost of living, with a recognized minimum wage, modern standards in employment conditions.'

Much of the most vehement denunciation of classification concerns merely the application of accepted principles, as for the most part there is agreement on the main features. Two problems are involved, one dealing with the choice of authority for administering the law, the other concerning the difficulties encountered in maintaining the classification intact.

The federal government, partly on account of jealousy among groups, established in 1924 a Personnel Classification Board, consisting of one representative from the Bureau of the Budget, one from the Bureau of Efficiency, and one from the Civil Service Commission. Unhappily, serious friction arose among the members of the Board, and strong resolutions have been presented to Congress calling for its abolition and the transfer¹ of its duties to the Civil Service Commission.

¹ Lehlbach, "The Law and the Personnel Classification Board," Speech in the House of Representatives, Congressional Record, February 12, 1924.

class with appropriate duties.

Whatever solution be reached, it is clear that close cooperation is required between the budget and personnel agencies. But it seems as if much would be gained if the appropriating body would accept the classification worked out by the civil service commission, and the latter would refrain from the difficult task of fixing salaries. It is hoped that the praiseworthy objects contemplated in the act of 1923 were secured by satisfactory amendments in the act of 1928, putting classification on a scientific basis.

White says that constant and untiring effort is necessary to protect the integrity of a classification. The difficulties are increased because some power to alter and amend classification and salary levels is essential to correct initial errors, and to keep abreast of changing conditions. Some exceptions, some amendments are to be expected as natural and normal consequences of a changing situation. Thus a new service is undertaken, requiring the building up of a new staff with perhaps novel duties. This may involve a series of personnel operations, such as transfer of employees, promotion, holding examinations and opening new eligible lists, temporary appointments, the creation of a new

White, *Public Administration*, p. 239.

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class with appropriate duties.

There is constant pressure to break down the integrity of the classification, by assigning a classification different from, and usually of a higher grade than is warranted by the duties actually performed. A bureau chief or department head comes to know some subordinates very well, and acquires a high opinion of the manner in which he discharges his duties. He wishes to keep him in his office, rather than have him enter another office by promotion to the next higher grade. He therefore seeks an appropriation for the employment of a clerk in the next higher grade in his office, and that secured, finds means to place his subordinate in the¹ position, although his duties are in no way changed. Then, classification is often disregarded by the bureau chiefs in assignment of work. They are chiefly concerned with "getting out the work" and are likely to pay scant attention to the exact allotment of duties according to specifications. The practical result is that clever or industrious clerks may be found performing the duties of clerks of the higher grade simply because they can be trusted, while the latter cannot be trusted. In

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White, Public Administration, p. 285.

modern classification all positions having substantially the same duties, requiring the same qualifications, and with the same degree of responsibility are grouped together in a class, which is given an appropriate range of salary. The class is therefore a group of positions that are sufficiently alike to justify common treatment from the standpoint both of selection and compensation. Both duties and pay are essential elements.

No matter how comprehensive and definite the specifications, how just the salary scale and how accurate the allocations, a classification cannot be made self-operative. To some agency or agencies constantly at work must be given the task of seeing that the actual personnel administration is in harmony with the classification and that the classification and the salary ranges are well adapted to meet conditions, not as they were when the fundamental classification was adopted, but as they are at the moment. The problem is dynamic, and little progress can be made through legislation that treats it as static.

Classification was intended to put an end to personnel treatment and is constructed on the ideal of

¹ Mayers writes, "It may be said safely, however, that
Mayers, The Federal Service, p. 207.

¹ White, Public Administration, p. 207.

dealing with positions, not with individuals.¹ No one can disagree with the fundamental importance of these objectives, but if there results a rigidity which has the effect of driving the ablest employees out of the service into industry, or of dulling their initiative by the discouragement of stagnation, the question may be raised if proper safeguards cannot be found to enable the superior civil servant to progress according to his developing power.

Classification is an essential preliminary step toward a sound salary policy, but does not in itself settle the issue. Indeed, the allocation of salaries is distinct from the original process of classifying, which at best goes only part way toward an adequate solution of the salary problem. The traditional methods of fixing salaries for federal positions have been slovenly, unsystematic, and wasteful, either from the point of view of the legislative body, the responsible administrative officials, or the employees. They have lent themselves to sharp practice, to collusion, and to the grossest discrimination.

After commenting on the difficulty of characterizing the situation prevailing over the whole service, Mayers writes, "It may be said safely, however, that

¹ White, Public Administration, p. 287.

over a considerable area of the service, the heads of departments and bureaus have exercised their wide discretion in the fixation of rates for individual positions with but little more regard to correct principles than ¹ has Congress."

The statutory roll is peculiarly an impediment to good personnel administration because under it salaries can be advanced and promotions can be made only when vacancies occur or when Congress creates new positions or increases salaries.

A careful study of the federal service revealing the development of injustice in the widening gap between salary levels and the cost of living was made by Mary ² Conyngton in 1920. She writes:

" The only conclusion that can be drawn from the varied rates of increase is that the government raises salaries only when it is forced to do so in order to keep its employees, and then only so far as to withstand outside competition. When there is no such competition, salaries tend to remain stationary, or are advanced slowly and uncertainly to an extent which is wholly insufficient to meet the increase in the cost of living. This policy of drift is the more

¹ Mayers, Federal Service, p. 88.

² Conyngton, "The Government's Wage Policy during the Last Quarter Century," Monthly Labor Review, X, (1920), 1325-41.

easily followed because government employees have especially in the higher technical supervising never shown any inclination to strike, have only recently organized themselves into a union, and have been deterred from seeking to enter service; made it one of the basic principles of that union that employees of long standing have found that under they shall neither themselves strike nor be called upon to support any strike against the government."

Only lately has there been put in process of has been gross injustice in that by reason of the satisfactory solution a schedule of proper financial many separate government services operating under different laws, an employee in one service might be receiving only half as much as an employee in another service with the same title and doing the same kind of work oft-repeated advice of the Civil Service Commission, equally well. concerning a systematic and comprehensive salary schedule, perhaps because of the decentralized and haphazard method of handling appropriations. Generally speaking, salaries have been sufficiently liberal for entrance into the service, and for this reason, there has been ordinarily little difficulty in recruiting as many beginners as are needed. The Commission has testified that the number of graduates of higher institutions applying for examination has fallen off greatly, and the lack of opportunity for merited advancement is assigned as the principal reason. Compensation higher up in the ranks has been absurdly low, in many instances,

stantially reduced. Especially in the higher technical and supervising posts. As a result, able and ambitious young men have been deterred from seeking to enter the service; employees of long standing have found themselves underpaid in comparison with employees of equivalent experience in private business. Furthermore, there has been gross injustice in that by reason of the many separate government services operating under different laws, an employee in one service might be receiving only half as much as an employee in another service with the same title and doing the same kind of work equally well.

In establishing a salary schedule, a number of major points must be considered, such as the following: equity between individuals performing the same kind of work, equity between one kind of work and other kinds, fairness in adjusting salary levels to changing price levels, freedom from political manipulation of individual or class salaries, adequate opportunity for presentation of claims by officials and employees.

If individuals are properly allocated to the correct classification and are kept in the correct classification, equity as between individuals has been sub-

Dept., 1922.

White, Principles of Public Administration, 292.

Employees in a Large Organization," Public Administration, 1923, p. 16.



stantially achieved. Equity as between class and class is an extremely difficult problem, which classification helps only by bringing out the facts clearly. The issue is complicated by the special position acquired by union labor. The subject of wages of labor, skilled or unskilled, is barely mentioned in the reclassification reports; the most common practice is to pay the going rate,¹ and it is the duty of every commanding officer of an ordnance establishment to keep personally in touch with the industrial and wage situation in his vicinity at all times, and to institute formal survey of wages whenever, in his judgment, conditions warrant such action.

Great difficulty is encountered especially in the non-unionized branches of public employment, in keeping their salary levels up to the levels attained in the competitive world.

A statement of principle is presented by Griffen-²hagen and Telford in Public Personnel Studies:

1. The pay should be adequate from the standpoint of general welfare.
2. The plan should be equitable not only with respect to the employee, but also with respect to the

¹ Office Order No. 6, Office of Chief of Ordnance, War Dept., 1922.

² Griffenhagen and Telford, "The Principles and Technique of Preparing a Plan of Compensation for Positions and Employees in a Large Organization," Public Personnel Studies, III, (1925), p. 16.

employer.

3. The compensation plan should be not only equitable, but also uniform in its application.

The National Federation of Federal Employees endorses a minimum wage as part of its legislative program. The government's wage policy might become one of the most potent agencies to build up a high morale. It can become such an agency only on the assumption that the whole personnel system is keyed up to much more exacting standards than are now usually found.

An almost unsurmountable barrier in classification is the difficulty of keeping it up to date; but if such a plan were established, and elimination of the less competent enforced, an efficient public service would follow.
 ...keepers, and clerks, and because the company paid good wages, and because the employees were able to make good money by indulging in private trade, on their own account, thousands of young men flocked to India to seek their fortunes.

In 1764, Pitt's India Act put an end to the exclusive civil and military control of the East India Company, but left its trading monopolies and its East patronage untouched. Pitt attempted also to force regu-

lations as to the qualifications and practices of the
company's employees. Chapter IV

Civil Service in England.

a corrupt body. It was probably water at that time.
to a really comprehensive story of the civil service
reform movement should be not national, but international.
It was not so much a local peculiarity as a manifesta-
tion of a stage of national growth. England was ready
for the change before the United States, and attacked
and solved the problem while we profited by her experi-
ence. As the importance of the civil administration

The history of the British civil service begins
with the difficulties of the British East India Company
with its numerous trading posts in the Far East. The
company had to employ large numbers of young men as
traders, bookkeepers, and clerks, and because the com-
pany paid good wages, and because the employees were
able to make good money by indulging in private trade,
on their own account, thousands of young Englishmen
flocked to India to seek their fortunes.

In 1784, Pitt's India Act put an end to the anoma-
lous civil and military control of the East India Com-
pany,¹ but left its trading monopoly and its vast patron-
age untouched. Pitt attempted also to enforce regu-

Lowell, Colonial Civil Service, (1900), pp. 80-

¹ Moses, The Civil Service of Great Britain, p. 48.

lations as to the qualifications and promotions of the company's servants, but with no effect.

Even at this time of unregulated patronage, the company's servants were by no means an inefficient or a corrupt body. It was probably safer at this time to entrust the patronage, as distinguished from the military and civil powers, to a company of directors than to leave it in the hands of a ministry. The Roman politicians and Tammany Hall might have found their equals in England if every member of the party in power had been allowed a hand in the spoils of India. ¹

As the importance of the civil administration gradually overshadowed the commercial, Lord Wellesley conceived a brilliant and somewhat visionary idea of a training school for civil servants at Calcutta. In 1806, the company decided to found a college in England, ² at Haileybury, as a training school, where all applicants were required to spend four years and pass the prescribed examinations before proceeding to India. The college was a success from the start, and its standards soon rose as high as those of the great universities, though its discipline was much closer to that of an

¹ Seeley, Expansion of England, (1901), p. 289.

² Lowell, Colonial Civil Service, (1900), pp. 80-82.

English Public School. The school, despite the fact that patronage plus a qualifying examination still determined who should be admitted, soon was getting more than its rightful share of the best young brains of the United Kingdom. The directors spared no pains to attract distinguished groups of teachers, and among the members of the faculty we find some of the most distinguished scholars of the day. One eminent scholar, who later became professor of Sanskrit at Oxford, spoke of his experience at Haileybury as follows: probationers
 for "I soon discovered that if I wished to rise above the level of an average student, I should have a task before me compared to which any previous work at Oxford could only be regarded as child's play."¹ Their B.A. at

Oxford. In 1833, the company lost its exclusive privilege of trade, and from this time on it existed only as a patronage bureau. The old Indian officials bought stock for the sake of gaining patronage for their families, and gradually the corporation became closed to all but these Anglo-Indian families.

Meanwhile, however, the number of political, as distinguished from commercial posts in India grew with the extension of the company's territorial interests,

¹ Monier-Williams, Memorials of Old Haileybury, p. 75.

and public opinion in England began to rebel against a monopoly of these appointments by a single training school under the control of a commercial company. In 1853 the charter came up again for revision, and Parliament abolished the directors' right of nomination and upheld Macaulay's plan for open competitions. The school at Haileybury was thereupon closed, and the competition thrown open to all British subjects within certain age limits.

Macaulay's plan was briefly this: the probationers for the Indian civil service were to be selected by open competition in liberal studies of the character and standards of studies at British universities. As many as possible should be men who had taken their B.A. at Oxford or Cambridge. The minimum age was fixed at 18, but Macaulay hoped that the difficulty of the test would keep out almost every candidate below 21. Macaulay suggested a tentative scheme of marks, which is noteworthy, because it has become the model for all higher civil service examinations in England.

The adoption of Macaulay's plan paved the way for the entire abolition of patronage in India, and led eventually to the reform of the civil service in all

¹ Lowell, Lawrence, Colonial Civil Service, p. 87.

the home departments of the British Government.

The spoils system which is commonly thought to belong to the period of Andrew Jackson, appeared in Great Britain long before it did in America. The spoils of victory were distributed among the personal and political friends of government officials, in Walpole's day, or even earlier. Members of parliament who supported the ministers were allowed to recommend officials in their own constituencies, and these "placemen" sometimes bulked so large among the voters of the decayed boroughs that they virtually controlled the elections. In one borough, where a count was made, it was found that one hundred and twenty-five out of five hundred voters had obtained appointments through the influence of a single member. Appointments were for no definite term, and removals could be made at any time. Whenever a change of ministry took place there were some removals by arbitrary processes in all parts of the kingdom. The spoils system was transplanted from the old world to the new, and took root and thrived luxuriously.¹

Great Britain reformed her House of Commons in 1832, but patronage continued to dominate appointments

¹ Munro, Governments of Europe, p. 90. Letter of Lt. Charles Trevelyan to Mr. Stansfeld, p. 430.

in all branches of the government. But in England there was no general clamor for rotation in office, such as arose in America, and in spite of the removals which took place when ministries changed, there were thousands of subordinate officials who, having gotten themselves on the payroll, remained there to the end of their days. The heads of departments complained that this combination of patronage in the higher ranks of the service, and indolence in the lower ranks was making good administration impossible.

A start was made by having a select committee appointed to consider the advisability of applying the merit system of the Indian Service to the home service in England. But very few of the leading politicians had their hearts in the matter. As Macaulay's biographer says of them, "It is one thing to deprive the East of the services of the Indian Service, and quite another to surrender their own."¹ The questions of promotion by merit which the report advocated was one which every position in all the government departments, the examination found difficult to realize.

The report was received by the press and the public with anger and contempt, as it was by members of parliament who had profited by the patronage system or were

¹ Eaton, W. D., Civil Service in Great Britain, "Letter of Lt. Charles Trevelyan to Mr. Eaton," p. 430.
of Balliol College.

too conservative to tolerate a change. The really intelligent and forceful criticisms of the report came from the civil service itself. In the appendix of the report a famous master sketched his ideal of a civil service based on university education. He thought that no theory of education should be enforced,"but a test should be made of what a man knows, not what we think¹ he ought to know."

The reformers were sincere, but they were bewildered by the outburst of criticism from their adversaries, and civil service was not prepared for so great a revolution as public opinion was later educated to demand. Fifteen years elapsed before open competition was finally established and thirty before the essential features of the Report of 1853 were adopted. In 1855, the Order in Council established a central board of examiners, the Civil Service Commission. This Commission was to examine applicants for subordinate positions in all the government departments, the examination to be in accordance with the wishes of the various department heads. The history of the English civil service is peculiarly valuable because it proves that public service should be open to public competition,

¹ from even the suspicion of corruption or dishonesty.

Appendix to Report, Letter from Benjamin Jowett, of Balliol College.

and that public competition recruits the most efficient civil service.

Every one was tired of the patronage system and in 1870 the Treasury, by a famous Order in Council, abolished patronage and set up open competition, which with certain slight modifications remains in force today.

The Order of Council provided that no person was thereafter to be employed in any department, unless tested and reported qualified by the Civil Service Commission after competitive examinations.

Mr. Eaton, who was sent from the United States to report on the Civil Service, comments enthusiastically on the effects of open competition, and its accompanying efficiency and economy, contrasting at all times this happy condition with the motley rout of office holders and lobbyists at home. He says:

"Under competition, you have no patronage, and there is therefore no motive to increase establishments beyond the strength of the required work. ... On the contrary, there is a very strong motive in the departments to keep the establishment down, so as to have the credit of economical estimates. ... It is only when we contemplate the full significance of such freedom from even the suspicion of corruption or dishonesty,

by the crown, against the malversations for all other and compare it with the pervading venality and malversation which had prevailed in earlier generations, that we are able to comprehend the scope and blessing of administrative reform in Great Britain."

Little by little the powers of the commission were then extended and eventually the principle of open competition was applied to virtually all non-political positions in the national service.

All the permanent officials and employees in the public offices of Great Britain today, with a few important exceptions, are chosen under civil service rules. Only those officials whose work is of a highly specialized or confidential nature, such as under-secretaries, the assistant secretaries, the chiefs of bureaus or branches, and principal clerks as they are called, are among the exceptions. In nearly all these cases promotions are made from lower positions in the department concerned and not by competitive examination. Porters and janitors, whose work is of an entirely routine character, requiring no particular qualifications are also among the exceptions. A civil service commissioner, and two assistant commissioners, all of whom are appointed

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Eaton, Robert S., Civil Service in Great Britain, pp242-43.

by the crown, conduct the examinations for all other positions.¹ impossible for any one not a university graduate. A separate examination is provided for each of the three main grades or classes into which the whole civil service is divided, irrespective of departments. For example, a candidate does not apply to be appointed to an upper division clerkship in the foreign office, or the colonial service, or the ministry of health. He takes the general examination prescribed for upper division clerks, and if he stands highest in the results he gets first choice as to the service which he will enter. Such vacancies as remain after the men at the top of the list have been provided for, will be filled by those who stood lower down in the examination. The civil service examinations in Great Britain, unlike those commonly held in the United States, have no relation to the particular branch of administration which the applicant hopes to enter. The applicant is permitted to elect a certain number of academic subjects such as languages, history, mathematics, science, philosophy, political science. The competition for the higher posts is very keen, the standards very high, and it

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Munro, The Governments of Europe, p. 91. Britain, pp. 299-311.

Status is attached to the particular position to be filled. For example, the tests for clerical positions graduate to secure a place near the top of the list. In the state department are quite different from those. These examinations are probably the stiffest that exist in any country. The examinations in the case of the intermediate division are not so difficult and may easily be passed by those who have had a good secondary school education. But there is keen competition which makes them severely selective. The candidates, in any event, must not be over twenty-four years of age as there is no provision in Great Britain, as in the United States for admitting to the civil service examinations men and women of all ages who have failed to succeed in private positions. If one wishes to enter the British civil service, he must enter at an early age if at all. Moreover, to win promotion, every official must show himself to be as well qualified as the best who offer themselves in public opinion in America is strongly inclined to emphasize the specific, the practical. It would be hard to convince the average congressman that the right thing for admission to the public service would be strictly academic tests, such as we use for graduation from colleges and universities. Yet it has been

The important differences in fundamentals between the English and American methods of examining candidates for the classified positions must not be overlooked. Every civil service test in the United States is demonstrated again and again, that men who have been

Moses, The Civil Service of Great Britain, specimen examinations, pp. 290-311.

States is adapted to the particular position to be filled. For example, the tests for clerical positions in the state department are quite different from those given to applicants in the postal service. The civil Service authorities in the United States set out to ascertain special qualifications; not general education. The American plan is only good if the appointee is to spend his entire life in a single position, doing a particular form of work. But if he merely wishes his initial appointment to serve as a starting point from which he expects to rise by promotion during his progress upward, it is not so good. The great defect of the American plan is that it brings into the public service many appointees who are tolerably qualified for a subordinate position but who lack general capacity to rise.

So far as it relates to civil service examinations, public opinion in America is strongly inclined to emphasize the specific, the practical. It would be hard to convince the average congressman that the right thing for admission to the public service would be strictly academic tests, such as we use for graduation from colleges and universities. Yet it has been demonstrated again and again, that men who have been

highly and broadly educated do better and rise more rapidly, in all branches of public service, than those whose competence extends to a single line of work. The English system disregards the special qualifications and goes out for general intellectual attainment, while the American system accepts general mediocrity for the sake of special qualifications. The great business organizations of the United States do not place much stress on special qualifications, when they choose young men for subordinate positions, but they give preference to college graduates who have attained high rank in their studies, who are broadly trained intellectually, who have personality and promise. In America it is only on rare occasions that a university graduate takes any of the civil service examinations; in Great Britain they¹ do it by the hundreds.

An official in civil service in Great Britain, holds office during good behavior, or until he reaches the age of sixty or sixty-five, when he is retired on a pension. There is no danger that he will be removed when a ministry changes; While there is no constitutional barrier to the abolition of civil

¹ Munro, The Governments of Europe, p. 93.

service positions, or the creation of new positions by an incoming English ministry, the tradition of permanence has now become so firmly established that no new ministry would dare assail it. In the United States the spoils system was able to rise because of the four year tenure law. But in England a ministry has no minimum tenure. Its office might be overturned in a few months and it would never do to interrupt the continuity of administrative work and no sensible man would accept a position subject to such changes.

In England at the head of every department or service is an officer (usually a member of the ministry) who is responsible to the crown and to parliament, who is a party leader, and who serves as a connecting link between the House of Commons, and the members of the Civil Service, who carry on the business of the country. This head is both an administrator and a legislator. It is easy to see that the smooth working of this whole system depends upon the existence of mutual confidence between the minister and his permanent staff. If the minister, knowing that his subordinates do not share his own political

¹ Munro, *The Governments of Europe*, p. 92.

views, fails to treat them with perfect frankness, of if, after one party has been so long in power, the permanent officials do not give the new minister cordial sympathy, then mistakes are certain. Thus the whole civil service ought to feel an obligation¹ of loyalty to whatever ministry is in power.

¹ *Monro, The Governments of Europe, p. 98.*

Chapter V,

Criticism of the United States Civil Service.

The history of American Civil Service reform has¹ been chequered and spasmodic, while the course of English reform is remarkably steady and uneventful, moving forward in a forceful manner, driving patronage and incompetence before it. Reform in the United States has been slow and painful and at times has actually moved backward. In the first years of reform, appropriations were frequently withheld by Congress, and since the establishment of a permanent civil service commission, every President has had to resist the pressure of spoilsmen in Congress, and of politicians outside. Almost every year has seen riders to appropriation bills providing exemption from classified service, promotion of temporary patronage appointees, appointments through senatorial "courtesy," and a dozen other forms of patronage and retrogression.

The English and the American conditions in civil service reform were astonishingly similar in the begin-

¹ Moses, The Civil Service of Great Britain, p. 246.

ning, judging from the writings of Mr. Jewkes and Mr. Eaton. The personnel and the demoralization of the Washington departments of the sixties and seventies were easily confused with those of England of 1853. However, the vices of rotation, senatorial courtesy, and the "spoils system" were peculiar to American civil service and did not exist in England. So similar were the two problems in other respects that Mr. Eaton, in his study of English civil service, succeeded in impressing the English system upon his American readers.

However, as soon as American civil service law was established on English models, the similarity between the two countries stopped. The English civil service, once fairly started on the reform path, has had little need of periodical reformers, as it is in the era of scientific experiment and development.

It is to be regretted that the United States Civil Service is still in the "reform" stage, and will be until such time as all honest men in and out of Congress and the President's cabinet devote their time to the study of the diseases of patronage and rotation. Not a single administration at Washington since the Act of 1883 has had an absolutely clean reform record, and in most cases the fault has not been that of the President of the Cabinet.

The Constitution provides that the President "shall nominate, and by and with the consent of the Senate shall appoint Ambassadors, other public Ministers, and Consuls, Judges of the Supreme Court and all other Officers of the United States whose appointments are not herein otherwise provided for."

So much that is disgraceful in our history is the result of this clause that it is agreed by students of civil service that it should only be applied to high political appointments, and that all other positions both high and low should be classified under the civil service rules. In order to attract good men into the civil service, the higher positions must be open to them. At present every change of administration involving a change of party sees a wholesale removal of higher exempt officials and local office holders, resulting in chaos in the departments, political machinations in Congress, pernicious political activity of office holders at election, and loss in money, time, efficiency, and prestige. Almost all high departmental officials, excepting cabinet members and first assistant secretaries, should be recruited from the permanent civil service and enjoy permanent tenure on good behavior, thus putting almost all of

the Presidential appointments over 17,000 in the classified service.

It seems on the surface that there is more open competition in the United States than in Great Britain, but actually competition is so hedged in that there seems to be no open competition in the United States. Many obstacles in connection with our federal examinations separate the ablest of available competitors from the best positions available.

In England the practice of submitting to the appointing officer the names of the three eligibles for each vacancy would be called "limited competition." Apportionment, by which, if his state has received its full quota of appointments, the candidate has little or no prospect of appointment, prevents open competition. A man from the West who has attained a good average may be preferred to a New Yorker with a higher average, because the fixed quota of New York has already been filled.

Veteran preferment for soldiers and sailors is a handicap in civil service. A striking example of this kind of false sentiment in the case of an appointive officer, was that of General Black, at one time head of the United States Civil Service Commission. General

Black was a Civil War veteran and was never capable of

Woods, *The Civil Service of Great Britain*, 1901.

White, *Public Administration*, 1905.

discharging the duties of his office.¹

The low standards of examinations for all but technical and legal positions which give the candidates no opportunity to display a sound education such as is given in our high schools, are a great detriment to open competition.

The Civil Service Commission should always have a more or less accurate idea of the number of places to be vacant and should do away with a waiting list.

Entrance salaries and prospects of annual increments should be as uniform as possible throughout the various divisions of the service and should prevent bidding for salaries, a practice by which a candidate indicates the lowest salary he is willing to accept.

The possibility of promotion to the better paid and more responsible positions is the best inducement to attract the most desirable applicants, and to keep them constantly alert. When the better positions go by favor, a discontented mass of employees, a second rate lot of applicants, and a high rate of turnover are the almost certain results.²

There are distinct limitations to promotion in the public service, at best, owing to the restricted opportunity brought within the classified service by statute law,

¹ Moses, The Civil Service of Great Britain, p. 255.

² White, Public Administration, p. 298.

tunities to pass from department to department, and from jurisdiction to jurisdiction, and to the relatively small number of supervisory positions compared with the mass of subordinate positions. A good illustration of the failure to organize its promotion system in such a way as to maintain a nation-wide opportunity, which could readily be established, is afforded by the post office department. All important postmasterships, until 1917, were entirely outside the classified service, and even now, no one who does not reside within the jurisdiction of the local post office can compete. This rule of local residence is wholly indefensible, and has even less excuse than the local residence requirement usually imposed by the state and local governments, from the standpoint of the most efficient postal service.

Of these practices Willoughby writes: "It is difficult to conceive a scheme of organization better adapted to deprive the personnel of incentive to do good work, to stifle ambition for advancement within the service, or to tie the hands of a central administration desiring to put its service upon a really efficient and economical basis."¹

All first, second and third class postmasters should be brought within the classified service by statute law, ———, the so-called administrative class, and re-

¹ Willoughby, . . . Principles of Public Administration, p. 233.

otherwise the Executive order of one administration is changed by the Executive order of another administration and little real progress is made.

An observation made by Thurston is to the effect that persons of only moderate intelligence should be recruited for the lower positions, and while the original selection is relied on to fill the higher positions, by promotion, men of high capacity must be discovered as well. An extremely significant classification would result from the tabulation of positions according to the amount of "native intelligence" and other qualities required for their performance. The difficulties of such an undertaking make it unlikely that it will soon be accomplished, but it is possible that significant beginnings could be made. There is much need for statistics for promotion. An important investigation would be to determine the capacity for promotion of a sample of one thousand employees so far as their qualities of general intelligence, initiative, persistence, inventiveness, capacity for co-operation and the like could be evaluated.

In recruiting for the highest administrative positions and for the lower positions, the British civil service makes a sharp distinction. A large number of officials, the so-called administrative class, are re-

cruited by special examinations based on the Oxford and Cambridge honor courses. The belief is that the duties of the highest administrative official positions require gentlemen, but also a wider and more cultivated view of public affairs than ordinarily arises out of the purely clerical routine of the ordinary clerkships.

A permanent head of a department says: "The performance of routine duties is not only not a good training for the higher posts of service, but, as a rule, it is a bad training, and the state would in my opinion, act very foolishly if, with the whole world to choose from, it contented itself with the very moderate material for the higher posts in the service, which the lower division can supply."¹

The British practice is of interest as an attempt to secure the qualities of brilliance and sustained power in administrative leadership by an original selection at the age of twenty-two to twenty-four, on the basis of University training rather than of demonstrated capacity in the lower routine positions. Under British conditions, the plan has produced a remarkable succession of administrators, for the home, the colonial, and the Indian services. It has undoubtedly had a depressing influence,

¹ Moses, The Civil Service of Great Britain, p.169, note.

however, upon the abler second division men.¹

Since the general introduction of open competition by the Order in Council in 1870, two tendencies have been at work which are not unconnected. The first is towards simplification, by grouping positions that have similar duties into large classes, with a single competition for each class, and thus diminishing the number of examinations for separate positions. The second is the tendency so to examine the candidates as to test their general ability and attainments and hence their capacity to become useful in the positions assigned to them, rather than the technical knowledge they possess. This distinction marks an important difference between the system of civil service examinations as it exists in the United States and the form which the system has assumed in England. For in the United States the object is almost entirely to discover the immediate fitness of the candidates for the work they are expected to do; in England, the object is, in most cases, to measure what their ability to do the work will be after they have learned it. The difference arises partly from the fact that in America the examinations were superimposed upon a custom of rotation in office and spoils, while in England permanence of tenure was already the rule; and partly from the fact

¹ White, Public Administration, p. 309.

that the system is applied in America mainly to positions requiring routine or clerical work, whereas in England it affects also positions involving directly or prospectively a much greater amount of discretion and responsibility. There are appointments made entirely without examination of any kind. Such posts are chiefly at the top or bottom of the service.

Political influence in England has not only ceased almost entirely to affect appointments to office, but it has also been very nearly eliminated in the matter of promotion. The government has been strong enough to declare that an effort to bring influence to bear will be treated as an offense on the part of the employee; or as was later expressed by the Admiralty,¹ "the attempt by a public officer to support his application by any solicitation on the part of members of Parliament, or other persons of influence will be treated as an admission on the part of such officer that his case is not good upon its merits."

In the United States, the Joint Commission on Reclassification found "that the absence of any uniform plan or system for regulating increases in pay of employees who have gained in experience and usefulness in a given class of work, and the even more serious lack of any

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Lowell, The English Government, I, (1920), 171.

equitable system governing promotion from lower to higher classes of positions have been very large factors in causing the disproportion between pay and work.¹

Inefficient or otherwise unworthy employees sometimes are not removed when they should be, largely because of outside pressure brought to bear in the interest of employees slated for dismissal and government service lacks a definitely planned and well organized employment policy that follows an employee through his entire official life and sees to it that he does what he is paid to do, and is paid for what he does. The haphazard practices in assignments of work and in promotions have brought about glaring inequalities; the salaries paid by the government are relatively low, and therefore the rate of "turn-over" in government forces is abnormally high, particularly among the very classes of men and women whose retention would keep the service strong and healthy. Too many of the higher offices which should stand as rewards for meritorious service are excluded from the merit system, and are often held as payment for service to the political party in power.

The classification act of 1923, which affected the departmental offices in the District of Columbia provides

¹ Report of the Commission, (1920) pp. 53-54.

for the standardization of positions, with qualifications defined and compensation fixed, applying to all departments and offices alike; a readjustment of salaries to remove inequalities which have resulted from loose practices in appropriation and administration; and efficiency ratings, under central jurisdiction, upon which ratings increases or decreases in compensation and retention or dismissal, will depend.¹ A similar classification for field branches outside of Washington, D.C. depends upon the future action of Congress, but the departments have administratively allocated the field branches in conformity with the District of Columbia classification so far as practicable. But the 1923 act failed to provide for an automatic increase in salaries, which the Postal Salary schedule does provide; instead, promotion was left to the discretion of the department head, and depended partly on the amount of the appropriation for the department, instead of on the efficiency of the employee. The Welch Act of 1928 amended the Act of 1923, but so far as the departmental service was concerned, took the classification as it then existed, leaving the classification plan practically untouched except for the splitting of one grade in the clerical, administrative, and fiscal service, and one grade in the professional and scientific service, and applied a new compensation plan to the classification structure which was already in use.

¹ Morgan, W. W., Working for the Government, Outlook, 1922, CXXXVII, December 13, 664-665.

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existence.

The mere enactment of a law does not insure its adequate administration and within a week following the passage of the Welch Act, the Comptroller General issued an opinion which limited to an increase of one rate all those employees allocated to the upper half of the rates in the various grades, thus cutting in half for such employees the amount of the increase intended by the Act. The comptroller General's opinion furthermore construed the language of the Act, relating to Grade 4 and upward in the professional and scientific and Grade 11 and upward in the clerical, administrative and fiscal, as entitling the employees allocated therein to more substantial increases than contemplated by the bill.

At the present time the authority to fix pay in the field service of the government rests with the heads of second and third class postmasters (about 18,000 in all), the departments concerned and until further legislation passes, the situation will remain unchanged. There is nothing automatic about the Welch Act that places the field service under the jurisdiction of the Personnel Classification Board. The Act provides that the Board should make a classification survey of positions in the field service with certain exceptions, which involved something like 106,000 positions, and with the filing of that report the

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Baruch, National Federation of Federal Employees,
Proceedings of The Tenth Convention, (1929), p. 5.

Board's jurisdiction over the field service ends.

It should be the purpose of a well considered plan of promotion to eliminate such dangers as absence of equal opportunity as between employees in different departments; promotion of less capable over the more capable; promotion on the basis of irrelevant motives, such as personal friendship, or political influence; inadequate opportunity as compared with industry; loss of initiative of potentially alert employees; general dissemination of irritation among all employees; cultivation of cliques and currying of favor; and it should substitute a sense of fair play by guaranteeing promotion so far as possible to the most efficient and worthy employees.

Two outstanding defects in the United States Civil Service which could be overcome by executive order are the extension of the classified service to all first, second and third class postmasters (about 12,000 in all), and to approximately five thousand positions in the various departments including collectors of customs, collectors of internal revenue, and deputy marshalls.

No such profession or career exists today as that of a trained postmaster. The Post Office Department is,

when notified by the Postmaster General of the existence

Report of the National Civil Service Reform League, of (1928) p. 8.

National Civil Service Reform League, (1928), p. 118-119.

this Executive Order the Civil Service certifies to me after, all, a large business institution whose duty it is to collect, transport and distribute mail at the lowest possible rates and there should be a profession of postmaster which might be learned by schooling in the post-office business, just as there is a profession of freight traffic manager which is learned by schooling in the railroad business.

It would be no less sensible for a private corporation to conduct its affairs with a view to political rather than to business reasons, than for the Government to do so. The vital difference between the business of a private corporation and that of the Government, however, is that the corporation cannot levy taxes to meet its expenses, whether its methods are economical or wasteful. Only the ability to do this, whereby ends may be made to meet the demands made upon them in reference to appointments in any event, makes it possible for the Government to transact its business in a most unbusinesslike way.

Under the provisions of an Executive Order of May 10, 1921, the United States Civil Service Commission is required to hold open competitive examinations for postmasterships at any of the so-called presidential offices when notified by the Postmaster General of the existence or expected occurrence of a vacancy. Under the terms of

this Executive Order the Civil Service certifies to the Postmaster General the names of the three highest qualified eligibles for an office so that he may select one for nomination by the President. It is alleged that the Post Office Department refers the Civil Service Commission's certification to the Congressman in whose district the vacancy exists, or to some other local dispenser of patronage, if the Congressman is not of the party in power, for selection of the one who is to be nominated by the President.

As far back as the days when James A. Garfield¹ was a Congressman, and before he was President of the United States, he stated to a special committee inquiring into the subject that "one-third of the working hours of Senators and Representatives is hardly sufficient to meet the demands made upon them in reference to appointments for office." The report of that committee is filled with pertinent facts and information as to the importunities, annoyances and drafts made upon the time and energy of Members of Congress by office seekers. Even now some Representatives and local committees hold elections at their own expense in order to determine which of the three eligibles to the presidential position shall be appointed.

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Deming, "Application of the Merit System in United States Civil Service," Public Affairs, (1924), pp. 34-35.

The consequences of this practice are simple enough. In instance after instance trained post masters have been turned out of office merely because four years have passed and because, although they are merely candidates for reappointment, there is not one chance out of a hundred that they will be permitted to serve unless they be politically approved. In instance after instance, important communities have been deprived of proper executives headship in their postoffices through this abuse. And in instance after instance, particularly in the South, appointments or reappointments have been sold for cash under the guise of the payment by the incumbent or the prospective incumbent of political "assessments."¹

In one significant and conspicuous case a state "leader" of North Carolina was accused of the sale of the postoffices at his command to the politicians who came trafficking for them, with the result that an official inquiry was ordered and made and the findings, revealing clearly prima facie evidence of guilt, were submitted for action to the Department of Justice. The Attorney General took no action about them. In a number of instances the persons accused have already become immune from punishment through the operation of the statute of

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McAneny, Report of the National Civil Service Reform League, (1928), p. 27.

limitations. There exists, therefore, a certain definite position apparently taken by the Post Office Department against a customary selection of postmasters upon their merits, or upon their actual records of service; and another position taken by the Department of Justice against the use of corrective measures where, under the Postmaster General's system, or lack of system, actual corruption creeps in.

Recently the President has frankly admitted that department heads have often been misled by recommendations for appointments to public office by irresponsible and unscrupulous local politicians who are more concerned with personal, financial and political profit than with the welfare of the public and the efficient conduct of public business.¹ And the new Postmaster General on the same day, March 27, 1929, made a complete confession that appointments of postmasters are made on the recommendation of political committees and members of Congress. He publicly announced that "business experience and executive ability, rather than political considerations, will govern the appointments of postmasters," but he nevertheless admitted:

"Pursuant to the provisions of an executive order

¹
National Civil Service Reform League, 1929. Report of Council, p. 7.

issued eight years ago, appointments of postmasters of the first, second, and third classes are made from an eligible register which is furnished to the department by the Civil Service Commission. This register consists of the names of three applicants who are rated highest in an examination conducted by the Commission. In determining which of the three applicants shall be recommended for appointment, it is the practice of the department to consult with members of Congress and leaders of the regular party organizations.

"Until the Republicans of South Carolina, Georgia, and Mississippi place the control of their party organization in the hands of men and women who enjoy the respect and confidence of their fellow citizens and who are genuinely desirous of promoting honesty and efficiency in public service, the Post Office Department will, on its own initiative, seek the advice of citizens of the states named who can be relied upon to advise the department in the public interest.

"In the North, as in the South, business experience will control the recommendations of the department."

But why is it necessary for the Post Office Department to secure the "advice" of any group in the selection of a

postmaster? The Civil Service Commission makes a thorough investigation of a candidate's record ... his previous education, training, experience and habits; it appraises his executive ability and capacity for managing an important business office; and it makes inquiry of the candidate's friends and business associates as well as of some of his critics. But it pays no attention to his political recommendations or political affiliations.

Instead of seeking the advice of the inexperienced and not wholly disinterested political groups who cannot be relied upon to advise the Post Office Department in the public interest, it would be wiser and more honest for the Post Office Department to get at the root of the evil -- ignore political recommendations and urge the President to issue an Executive Order restoring the rule for the appointment of the candidate standing at the head of the eligible list for postmaster in the various communities.

The Post Office Department is peculiarly a business organization,¹-- probably the largest business enterprise in the world. Its activities are merely administrative. It has nothing to do with determination of political policy. Political affiliation is never an asset, but

¹
National Civil Service Reform League, (1929), p. 9.

too often a hindrance to the efficient management of a post office. Every postmaster General vociferously and magnanimously hails the department as strictly a business organization, yet none has had the courage to treat it strictly as such. It still remains the lucrative refuge of the politicians.

The full story of the postmasters will some day make an illuminating chapter in the history of the merit system. Out of a total of federal civil service of almost 600,000 positions, about 137,000 are still outside the pale of the system, -- 16,800 positions, mostly postmasterships, appointment to which is vested in the President subject to confirmation by the Senate; 116,200 positions appointment to which is in the hands of the heads of administrative departments; and 4000 excepted positions in the Federal courts. Few of these have anything to do with the determination of political policy which would warrant their exception from the civil service merit system.

Notwithstanding the pseudo merit system established by President Harding's Executive Order of May 3, 1923, the selection of postmasters throughout the country continues to be based on political preferment.

A recent investigation by the Senate disclosed insidi-

1 in the unclassified federal service is due largely to the

1 National Civil Service Reform League (1929), Report of Council, p.5.

National Civil Service Reform League, Report of Council (1929) pp. 10-11.

ous practices of unscrupulous politicians in flagrant violation of the civil service act. Senator William C. Bruce's statement, made on the Senate floor, that "everybody knows that post offices in the South are mere merchantable commodities" was borne out in the evidence repeatedly. Senator Brookhart stated that "every post in South Carolina except those of the fourth class has been bought and sold." Representative Stevenson gave an account of the sale of the postmastership at Cheraw for \$900, and the attempted sale of that at Pageland for \$500. Still another postmastership in South Carolina, it was testified, was obtained by the highest bidder, who paid \$1000. Alleged operations of Perry Howard, negro Republican national committeeman from Mississippi, and a special attorney in the Department of Justice, were disclosed as typical of conditions elsewhere in the South. Howard is reported to have collected \$1500 from an appointee as United States marshall, who resigned in a few months because of political interference by Howard and his political friends.¹

It is apparent from the evidence thus disclosed by the Brookhart Committee that the scandalous situation surrounding the appointment of postmasters and other officials in the unclassified federal service is due largely to the

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National Civil Service Reform League, Report of Council, (1929) pp. 10-11.

fact that the appointing officials as well as members of the Congress are often imposed upon by unscrupulous political leaders who treat the distribution of public offices as so much personal plunder.

The effective remedy for such conditions would be an executive order from the President for the appointment of the person standing at the head of the list in every case, as was done by President Roosevelt for fourth class postmasters, and extended by President Wilson to postmasters of the first¹, second and third classes.

That the spoils system still obtains even in this field is evidenced by an example in the postal service of a middle western city of 364,973 inhabitants.¹ When the assistant postmaster died a few years ago, the postmaster's secretary, with only the training and experience of that office, was advanced to the vacancy, over the heads of others more eligible to said office, and held it until the examiners made their rounds a few months ago. Could this have happened if the supervision and control were divorced from the recruiting agency?

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Official report, The Indianapolis News, July 24, 1930.

That the public conscience has been aroused to the unfairness as well as the unwisdom of the present system of selection of postmasters is evidenced by the recent debates in the Senate over the confirmations of various appointees to such offices. In some instances candidates sponsored by political factions, and for purely political motives, have been disapproved by the Senate, where the record of the candidate has been open to serious question. On the other hand, many ill advised and unmerited appointments to these offices continue to be made. A typical example is afforded¹ in the Louisville postmastership. There, the third person on the list, who had barely qualified in the competitive tests, admittedly politically active in local affairs, and whose record was open to question, was finally appointed in preference to the first man on the list, who had been assistant postmaster at Louisville for many years. The second man on the list for that office was also in the postal service, as superintendent of mails. The Post Office, Department in this case had a splendid opportunity to institute promotion for merit, and to encourage those in the postal service to look to that service for a career; but it failed to help maintain the integrity of the competitive principle.

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Report of the National Civil Service Reform League, 1930, p. 9.

As it is with the postmasters, so it has been and still is with the Collectors of Customs,¹ or of Internal Revenue. Most of the Collectors, either of Customs or of Internal Revenue, are still appointed or removed in the old, discredited way.

The meaning and effect of the assertion of the old spoils claim is aptly shown in the treatment given by Congress to the recommendations of the Joint Committee of the two houses with relation to the reclassification of the Internal Revenue Deputy Collectorships, and incidental reductions in the number of independent offices now in operation. The Joint Committee of the two houses, aided by an officer of the Treasury Department, recently made a general inquiry into the matter of the administration of

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McAneny, "President's Address", National Civil Service Reform League, XLVII, (1928), 23.

the Internal Revenue Service, particularly with reference to those divisions of the Service that are concerned in the collection of the income tax. Their report set forth that there is at present a gross excess in its number of deputyships, as well as in the number of separately operated local offices; that many of the local offices might profitably be consolidated, cutting down the number of deputyships accordingly; and what is of even greater consequence, that all deputies might be and should be appointed and retained under the civil service rules. Today all of these positions are in the exempt schedule, having been expressly placed there by an act of Congress, October 22, 1913.¹ The Joint Committee pointed out that through the measures it proposed, a saving of \$2,000,000 a year would result in the collection of the income tax alone. It referred particularly to the excessive turnover of employees, in and out, because of politics -- more than fifty per cent of the entire service in three years -- trained men, or at least relatively trained men, being constantly pressed aside to make room for a new set of untrained men, and these, in turn, to go through the same process of partial education at the expense of the Government, only to be dropped out

¹ Stewart, Frank H., National Civil Service Reform League, p. 141. Blackburn, T., Advantages and Disadvantages of Public Service in Public Welfare Administration, National Conference of Social Work, (1923), pp. 445-446.

to make way for other untrained men, destined to similar experience.

The disadvantage of Civil Service in Public Welfare administration is quite obvious and emphasizes the fact that the British Civil Service has not been fully realized¹ on this side of the Atlantic.

Even when the law has been carefully written, politicians have succeeded in evading it. Thus in certain cases, there is no attempt to maintain an eligible list of competent workers. A vacancy is filled by political pressure as an emergency or temporary appointment without regard to the fitness of the candidate. In some cases such a temporary appointee may hold office indefinitely in defiance of law. Since it is essential to permit emergency and temporary appointments in the interest of flexibility, the remedy for the abuse lies only in a careful wording of the law, combined with a public demand that it shall be observed in both spirit and letter. While a good merit law makes political manipulation more difficult than otherwise, it cannot entirely protect the service in case of public indifference.

Also, many officials doubt whether the competitive examinations really determine fitness. It is true that

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Blackburn, W. B. "Advantages and Disadvantages of Civil Service in Public Welfare Administration," National Conference of Social Work, (1928), pp. 446-455.

such examinations are imperfect. However, there is no procedure for direct selection by the executive, even when he has time for such work, that is perfect, or that may not be incorporated into the process of competitive examination. The non-assembled examination, in which reference, experience, and education constitute the principal tests, closely approximates ordinary executive procedure, with the advantages of a civil service commission's experience, staff, and ability to reach by publicity the widest range of territory. Not every good executive is good at selecting subordinates. A good civil service commission usually wishes to incorporate in its stated qualifications and tests any fair and reasonable requirements which the departmental officer may suggest.

And finally, a disadvantage urged against civil service laws is that with the security they offer it becomes difficult to discipline offenders, hard to dismiss incompetents, and almost impossible to maintain a high standard of morale in service. Even without strong political pressure, it is difficult and unpleasant to discipline or dismiss a subordinate. When, on the other hand, this subordinate is the appointee of a powerful politician and has direct access to political support, the

of the Senate is to appeal to the Chamber of Commerce

and other equally qualified business

National Civil Service Board Report (1904) 40-41

executive is nearly always powerless.

According to a statement made to the author by Captain E. G. Kerfoot, now retired officer of the United States Army, in 1917 in Omaha, a chief clerk was needed in the supply department for the telegraph, telephone, and airplane service, and a butcher, who had passed the civil service test, was sent to take the position. The captain and other officers of the department, feeling that their work would be jeopardized in the hands of a butcher, decided to obtain a temporary supply whose work could be relied upon.

Every ten years there is a struggle with the spoils-men in Congress over the classification of census employees. A new census bill with the provision for the exemption of field employees was introduced on the first day of the special session of Congress in 1929, making possible the appointment of 100,000 persons with no assurance whatever that their qualifications would be taken into account.¹ Whether the enumerators are selected by the Director of the Census Bureau or by the several hundred supervisors, will make no particular difference; for the supervisors, being patronage appointees, will naturally and inevitably appoint enumerators on a political patronage basis. It is the announced plan of the Director of the Census to appeal to the Chamber of Commerce and other equally qualified business organ-

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National Civil Service League Report, (1929), p. 13.

izations throughout the country for recommendations for appointment of supervisors and special agents. Such a plan will result only in pressure being directed against the heads of such organizations to recommend persons designated by the local committees and members of Congress. It is little better than applying to the political organizations directly.

Experience in previous federal censuses taken under provisions of law excepting field positions from the civil service act has proved disastrous in the character of the employees selected, the inaccuracy of the work, and the lack of public credit given to the census. Those competent to speak with authority because of their knowledge of and familiarity with the work of censuses have stated that the results of exempting the field forces from the civil service act was to produce extravagance and demoralization. The Civil Service rules are sufficiently flexible to admit of exception from competitive examination wherever it is deemed impracticable to apply it.

On March 2, 1929, two days before leaving office,¹ President Coolidge issued an executive order providing for preference in appointment of disabled veterans, widows of veterans, and wives of disabled veterans, who themselves

¹
National Civil Service Reform Report, (1929), p. 15.

are physically disqualified from serving in the federal service. The persons so preferred are given not only ten points to be added to their earned ratings, in examinations, but if they receive within ten points of the normal passing mark they are placed at the head of the list and preferred for appointment. The Executive Order was based on the recommendations of the President's Special Advisory Committee and the Civil Service Commission approved the recommendation of the Advisory Committee.

The preference accorded by the order does not confine the preference to those veterans who are actually disabled at the time of appointment. It applies equally to those who suffered only slight discomfort, and to those who received serious injury.

Some of the glaring examples of injustice wrought by the preference law of 1919 are indicative of what consequences may follow the Executive Order of the present year, as it will no doubt seriously handicap the responsible heads of the Federal government departments in providing efficient and economical administration of their departments, and lead to considerable laxity in performance of duty on the part of preferred classes, and measurably increase the cost of personal service.

It is this writer's opinion that the

Warren, "Congressional Record," National Civil Service
 Reform League, 1920, p. 11.

There has been a constant refusal of Congress to put the municipal employees of the District of Columbia under the merit system, although they have been importuned for years to do so. It is understood that the only two municipalities of over 100,000 left in the United States that have no civil service are Washington¹ and Indianapolis. Washington cannot help itself, for the reason that because it has been described in an opinion of an Attorney General, written thirty years ago, as a municipal corporation and thereby not subject to any orders of the President issued under Civil Service Acts, its employees may be classified through a separate and special act of Congress.

Recent investigation of the District of Columbia government by a committee of Congress and by the Efficiency Bureau have furnished concrete evidence of the need of a personnel system. The Efficiency Bureau has recommended to the District Commissioners that they avail themselves of the cooperation of the United States Civil Service Commission, pending the authority of Congress placing the positions in the classified civil service.

Problems of personnel differ from other problems of administration in that they have to deal with the personal element. It is this that gives them their

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McAneny, "President's Address," National Civil Service Reform League, XLVII, (1928), 33.

peculiar character, and makes their solution difficult. ¹

The system of appointment of personnel for definite terms precludes any approach to the establishment of conditions when the government service will constitute a career for its officers and employees. There has been the unfortunate belief on the part of many that government positions are in the nature of spoils to be enjoyed by the party victorious at the polls, or in the nature of benefits or prizes which, instead of being enjoyed by a few permanently, should be given the widest practicable distribution.

The result of this attitude toward the government service led to the establishment by law of the system under which the terms of office for many classes of positions is fixed at four years. This particular term of office was selected as corresponding with the term of office of the President, to the end that a change in officials and employees might be made with each change of administration. The history of the adoption of this practice and its evils is set forth in the Report of President Taft's Commission on Economy in Methods of Appointment ² as follows:

A fixed term of four or five years is given by certain Acts of Congress to many of the local officers of

¹ Willoughby, W.F., Principles of Public Administration, 211

² Message of the President of the United States to the 62nd Congress, document 670, (1912) 34-35.

the government who are appointed by the President by and with the advice and consent of the Senate. Such laws militate greatly against the highest degree of administrative efficiency, for they necessarily bring up at the expiration of a term of office the question of reappointment and when combined, as they usually are, with confirmation by the Senate, they necessarily make it more difficult than it otherwise would be to retain efficient men in the service, since they interject politics into questions of appointment, and in no way add to the disciplinary power of removal which is in any case complete. Improve the quality of the

The Civil Service Commission says in its report for 1910:

"Appointment of all higher officers in the national civil service outside of Washington, such as postmasters of the first, second and third classes, collectors of revenue, appraisers, and marshalls are subject to confirmation by the Senate; their appointments are to a greater or less extent determined by political services. They often control party nominations, and the choice of delegates to nominating conventions, or they themselves serve. As has been well said, there is no such profession as that of trained postmaster, collector, surveyor, or appraiser. . . . Our administrative system now pre-

sents the anomaly of filling certain inferior positions by test of merit, and changing every four years the higher positions, certain of which the President urges that he be given the power to classify, such as those of collectors of customs, collectors of internal revenue, and postmasters, in which proven capacity and most thorough training are required in the interest of good administration.....

"The repeal of the four year term of office act, in so far as it would make possible greater permanency in tenure and greater length of term, or actual incumbency in office would, in all probability, improve the quality of the service by keeping in office persons better qualified as a result of practical experience to discharge their duties than is at present the case."

The four year term system applies chiefly to the directing personnel and the chief officers of field stations. As regards all subordinate positions at Washington and to a considerable extent in the field, the principle of permanency of tenure has been established by civil service, but not until the same principle is established for the superior positions may anything approaching an efficient personnel system be secured.

It is a matter of common knowledge that a prime characteristic of the personnel system of the United States

government is the extent to which it is dominated by the "spoils system", especially in the more important positions.

If there is one feature of the personnel of our Civil Service which stands out more prominently than another, it is the extent to which it is deemed to represent services in which all ambition is stifled. It is a common expression that "he who enters here must leave all hope behind."¹ This is explained by the fact that the Civil Service has failed to establish a personnel system resting squarely upon the principle of justice; that is, it does not offer equal opportunities to all citizens to enter the government service, and equal pay to all employees doing work requiring the same degree of intelligence and capacity. The spoils system still controls entrance into many services and advancement in too many cases is a matter of favor or chance.

In the national government, the greatest advance that can be made in the direction of making service in it a career, is that of organizing its great administrative services, such as the Postal Service, the Customs Service, and the Internal Revenue Service, upon a basis where this principle will find expression. To do this a fundamental

¹ Willoughby, W. P., Principles of Public Administration, 230.

change in their character must be made. At the present time each of the hundreds or thousands of field stations in which the real work of these services is done is treated practically as an independent unit. To a considerable extent each is viewed almost as a local office of the state or district in which it is located and to be run primarily as a matter of local concern.¹ From the personnel standpoint, each is, in effect, an independent unit. Its directing head, in practically all cases, is not only appointed from among residents of the districts, but the real selection is made, not by the directing head of the service, but by the local representative of the district in Congress, or by the party organization. Only in exceptional cases is a vacancy filled by promotion from the ranks. Practically never is the head of a station who has proved his competence, transferred to a more important post in the service. To make matters still worse, appointments to these positions are made for the most part for terms of four years. In like manner, the subordinate personnel, even though they are selected through competitive civil service examination, are taken from the district in which the station is located, and have little or no prospect of promotion except within

¹ for the proper discharge of their duties vary.
Willoughby, W. F., Principles of Public Administration, p. 233.

the particular station to which they are attached. Even here, they are debarred from any reasonable expectation of rising to the top as a result of faithful and conscientious discharge of their duties.

Not the first beginning is made toward treating these services as ones offering permanent careers to their personnel. No pretense is made of building up a corps of directing officers representing a selection of the most capable. More and more the national government is demanding the services of numbers of persons possessing professional and technical qualifications of a high order. Under present conditions it is exceedingly difficult for the government to secure these men or to hold them after they are secured. This is due only in part to the inadequate compensation that in many instances is paid for this class of service. In a large degree it is due to the failure to give to these positions that definite status that will offer a permanent career to their incumbents.

In seeking to give them such a status, these positions should be carefully segregated, not only from the general clerical and labor positions, but also from each other. There are many positions in the national government requiring for the proper discharge of their duties very

special abilities, training, or experience. The problem is one of organizing each kind of technical position into a special class which allows transfers freely between services as promotion requirements render necessary. A re-grouping of the services along functional lines so that all services working in the same or closely related fields will be brought together under the same department will effect a great administrative reform.¹ If all the engineering and constructive services of the government such as the services of the Engineer Corps of the Army for the improvement of rivers and harbors, the Bureau of Roads of the Department of Agriculture, the Office of Supervising Architect of the Treasury Department, the Bureau of Reclamation and Alaskan Railway of the Interior Department, and others were brought together in a Department of Public Works having no other function than the prosecution of engineering and construction work, the basis would be laid for the creation of a corps of engineers, similar to that in the French government, which offers a permanent career to employees of this class.

In the class of positions requiring only ordinary clerical abilities, what amounts to almost a deadline is drawn at the positions of chief clerk, or chief of divi-

¹ Willoughby, W. B. Principles of Public Administration, p. 238.

sion, the prevailing salaries of which are \$2000 and \$3000. Up to this point the government employee may look upon his service as one in which he may hope for advancement as he shows merit. Beyond this lie the positions of the real directing heads of the service, the positions that constitute the posts that are really worth while; indeed, the only ones offering a really effective incentive to persons to adopt the government service as a career. Remove this barrier; make it possible to pass as a matter of normal promotion from the position of chief of division to assistant chief of bureau, and assistant secretary, and the government service at once becomes one offering a real career. Not merely will action in this way afford attractions to the ambitious to enter the service that do not now exist, but a strong stimulus will be given to persons in the service to discharge their duties efficiently and by study and research fit themselves for the discharge of the duties pertaining to a superior position. Only after it is found that a man having the qualifications desired cannot be found within the government service, will resort be had to persons out of the service.

While the positions of chief clerk and chief of divisions have been made competitive and thus opened to pro-

motion, the presidential positions of postmaster, collector and chief of bureau still remain subject to patronage with the same demoralizing effect in preventing them from being filled by promotion. The further step remains to be taken of placing them also in the competitive class just as has been done in the case of the chief clerks. The higher positions, although few in number compared with the vast aggregate of offices, are important beyond the measure of their numbers. These positions have great responsibilities and power. They are tempting as political prizes. The degree of economy and efficiency with which the public service is conducted largely depends upon the character¹ of the occupants of these positions. The small number of positions which are policy determining of course remain subject to unrestricted appointment by the President, but the purely administrative offices of high rank such as the heads of bureaus, should be open as rewards of distinction for the occupant of the lower positions. It is only by offering such rewards that the public service can secure and retain men of ability and the fact of establishing such careers would inspire employees throughout the service. As long as so large a proportion of these higher administrative positions remain unclassified, to

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McIlhenny, "The Merit System and the Higher Offices," Political Science Review, II (1917), 461-72.

be filled from the outside without promotion, the classified service will not offer a career in competition with such outside fields of employment as are organized and conducted upon a merit basis. In this respect, civil service remains inferior to the service of many business establishments which assure promotion for merit to the high salaried positions; and the government cannot hope to secure and retain the services of an equally intelligent and ambitious class of persons while these conditions exist. The fact that higher positions are not open to promotion deters many of the better class of men from entering the examinations for appointment. Moreover, there is an increasing tendency on the part of the most capable persons who enter the service to resign for employment in fields in which there is better organization, and greater opportunity for advancement. This constant depletion of the service means serious financial loss to the government. The civil service is inferior to the military and naval services in this regard, since it does not offer the same opportunities for advancement, and when the higher positions are filled by political influence, and the men filling them are, as they generally are, active in political work, it is inevitable that the minor force will fall under detrimental

political influences.

These higher positions may be considered under two heads. The first embraces those positions the duties of which are concerned with the discipline of the force and the decisions of questions arising in the work of that force. These positions comprise postmasters, collectors of customs and of internal revenue, heads of non-technical bureaus, and the like. The qualifications required are a knowledge of the laws, decisions and the procedure governing the business, together with a high measure of executive ability. The same reasons which require tests of merit for entrance to competitive positions apply even more strongly to these higher positions which have nothing to do with the policies of administration. In outside business, positions of this character would usually be filled by promotion; for the reason degrees, so that only those who are presumably fit may that requisite information, skill and familiarity with the office traditions are acquired by training in the lower positions. In the government service, however, it is not ordinarily possible to fill them by promotion. In the first place, a classified employee with an assured tenure would hesitate to accept a position of precarious political tenure; in the second place the position would be demanded for an outsider as the fruit of party victory.

If these positions were put into the classified service to be filled usually by promotion or transfer, a worthy career would be opened to employees trained in the lower grades. This would be merely a development and wider application of the principle of filling such administrative positions as chief clerk and chief of division by promotion upon proved merit, and thus be distinctly in the interest of efficiency, stability and a higher standard in the personnel of the service.

~~Second~~ The second class of higher positions is confined to those requiring professional, scientific or expert attainments, for which the material available for promotion is more restricted, and where competition may be applied with invariable success. The range of character of these positions is as broad as the field of human endeavor. Entrance to the tests is guarded by reasonable educational degrees, so that only those who are presumably fit may enter competitions.

~~Fourth~~ The Constitution of the United States provides that The President shall appoint officers of the united States by and with the advice and consent of the Senate, but the Senate has so stretched its powers as practically to usurp in all but relatively few cases, the nomination as well as the confirmation of appointees. It has, as is well

known, gone further than this and, in effect, allotted the selection of appointees to the individual senators for the states in which the offices to be filled are located. It has done so by establishing the convention that no nomination of the President will be approved to which the Senator of the state in which the office to be filled is located, declares that he is opposed. It is a frequent occurrence to read in the newspapers that such and such a nomination has been rejected by the Senate because the Senator interested has stated that such nomination was personally objectionable to him. To avoid this, the custom has developed of the President's conferring with the Senators before making the nomination in order to assure himself that the men he has in mind for nomination will be acceptable.¹ Or, going further than this, he has turned over the selection of nominees to field positions to the Senators, with the result that in practice the nomination of candidates has been transferred from his hands to theirs, though he still retains the negative power of rejecting names proposed to him by Senators and of asking them to make new selections.

The convention has developed of the President's consulting with members of the lower house and leaders

¹ Willoughby, W. A. Principles of Public Administration, p. 273.

of the political organization to which the President belongs, in respect to nominations, and thus has arisen the system known as "political patronage."

The remedy for this situation lies along several lines: the development in the community of a public opinion that will not sanction this abuse; the reduction to a minimum of the cases in which nominations by the President require the approval of the Senate, and the extension of the system under which selections for appointments are made through examinations, or other means for determining the technical qualifications of candidates.

With the adoption of a proper system of classification and compensation of employees, which will mean the discontinuance of the payment of salaries much higher than those paid in private life to persons just entering the service, and performing the lower grades of work,¹ the pressure for appointments will be much lessened. When persons enter the government service at the bottom and superior positions are filled by promotion from the lower ranks in accordance with demonstrated merit, adequate opportunities will be given to the appointing power to use his personal judgment in selecting appointees.

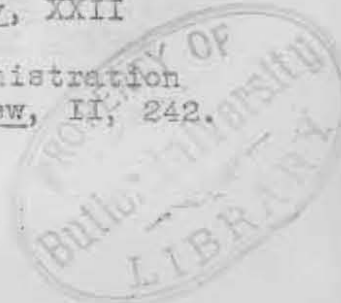
¹ Willoughby, E. F., Principles of Public Administration, p. 295.

If the recruiting system be organized independently, there will be no need of placing it in the hands of a board. A single commissioner, who would discharge substantially the same functions that are now discharged by the Chief Examiner of the Civil Service Commission, would be more effective than a board. The work of the regulatory division, on the other hand, is judicial. It affects in an important way the rights and fortunes of employees. It necessarily exercises powers of a legislative character. In view of the importance of the decisions to be made, it would be better to have a larger board for this work than three.

Regardless of the size of the central regulating body, it should be wholly non-partisan and it should have a more permanent tenure than is now possessed by the Civil Service Commission. I believe that if these provisions were put into effect, there would be developed, for the Civil Service Commission, in a reasonably short time, a tradition of permanence and non-political character that would result in a distinct improvement, not merely in the personnel of that body, but in the regard paid by the public to the entire system of civil service administration; and Congress would be compelled to relinquish its hold on the remnants of a once glorious plunder.

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